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Commissioner for Patents
United States Patent and Trademark Office
Washington D.C. 20231

March 8, 2004

Re: App Number: 09/776,498 Update.
Additional information and references found:

To the U.S. Patent and Trademark Office,

I am following up on my duty to keep the ETO informed of information that I learn that may relate to my application Number 09/776,498:

While a lot of information has been in the news about developments including "hash-cash" and stamp related fees for email, I believe that all of these recent developments are different than the invention disclosed in my application.

I have also discovered a previous patent by Sundsted, Pat No 5,999,967 that purports to compensate a receiver party for receiving email, however, it is a substantially different invention. The Sundsted method and system is based on "Filtering" email and an "E-stamp" concept that essentially involves a Sender Party attaching an electronic stamp to the email. To do this, a Sender must guess at the right price for the stamp or auction against himself for the right to send e-mail to the Receiver Party's email inbox.

My patent application 09/776,498 and the invention disclosed in Pat No 5,999,967 are very different and unique from each other.

Some of the main differences between my invention and the Sundsted method are:

- (1) Sundsted method requires an electronic stamp or electronic token where my invention does not;
- (2) Sundsted method requires an attachment to the e-mail where my invention does not;
- (3) Sundsted method is really an auction wherein the Sender party guesses at and may therefore fail to meet or alternatively exceed the price required by the Receiver party for the mail to enter the Receiver Party's account. This is a significant drawback. In general, auctions of rights which are not mutually exclusive may produce great uncertainty on behalf of the "buyer" Sender Party and therefore the Sundsted pricing

method is not efficient. Importantly, my invention is much more efficient and informative. In my invention, the Receiver Party posts or replies with a price that the Receiver Party demands for access thereby decreasing the Sender Party's uncertainty and promoting more communication and information.

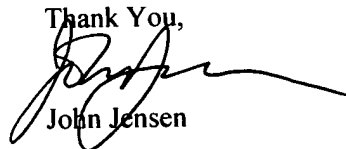
- (4) The Sundsted method does not provide Sender with information about the price required by a Receiver Party to receive e-mail thereby requiring the Sender to guess or send multiple copies of the email each with a higher price and thereby wasting time and resources of the sender party.
- (5) Sundsted method requires the step of "stamping" the email to reside on the sender's side of the system. Firstly, a stamp is not required in my invention, thus relieving a user of a separate and administrative step which saves time, energy, and effort. Secondly, placing the stamping function on the sender's side or computer may provide opportunities for hackers of the Sender's less secure computer to access sensitive information, and will likely provide much greater opportunities for forgeries or similar illicit behavior by rogue Sender Parties. Rogue Sender Parties can also more easily forge material or information that reside on the Sender's computer than that if the financial information is held on a centralized computer or system as in my invention.
- (6) Sundsted method requires payment to be applied each time before an e-mail is sent which is a burden to Sender Parties and an administrative difficulty. Requiring that a stamp be used on each transmission also increases the likelihood that sensitive financial or payment information will be intercepted while the communication is in transit and potentially allowing hackers or third parties to illegally access sensitive financial information in transit. The preferred embodiment of my invention avoids many of these repetitive steps and difficulties;
- (7) the Sundsted method focuses on filtering "junk" email while my invention focuses on parties' transmitting and receiving communication for a fee or cost a part of which will benefit the Receiver Party;
- (8) the Sundsted method is limited likely to filtering email to an existing email address (which applies to a part of an embodiment of my invention);
- (9) Sundsted method requires that the Sender Party already know and possess the email address of the Receiver Party where the preferred embodiment of my invention does not require this knowledge (which is sometimes difficult to attain);
- (10) Sundsted method does not help locate a party or account or address of a Receiver Party;
- (11) Sundsted's method uses an electronic stamp which requires the purchase of a separate apparatus or means for purchasing and attaching a electronic stamp (where my invention does not require the use of any stamp or stamping apparatus or the equivalent);
- (12) Sundsted's method offers compensation only through stamps or tokens where my invention offers many different ways of paying and compensation;
- (13) Sundsted's method provides only for a stamp fee payment "the value of which both sender and receiver agree upon" for access for mail to enter a Receiver Party's traditional email account but does not provide a system or method for altering, advertising, or changing the price of the access,
- (14) Sundsted method does not provide a means to advertise or inform potential Sender Parties that a Receiver party is available to receive communications for a fee;
- (15) Sundsted method does not provide for additional services that the Receiver Party may offer such as a guaranteed response, a timely response, or provide for other and additional functionality that is provided for in my Patent Application and invention;

- (16) Sundsted's method applies to email or other electronic messaging system where my invention applies to all communication over a network, including Voice over internet and similar protocols, where the Receiver Party seeks a fee or compensation for receiving communication;
- (17) Sundsted's method involves steps of encrypting and decrypting which are not essential or required in my system and method;
- (18) Sundsted's method does not help authenticate the identity of senders or receivers where my invention and method does help authenticate the identity of Sender Parties and Receiver Parties;
- (19) Sundsted's method and the use of electronic stamps or tokens allows or generally maintains that an individual as either a Sender Party or a Receiver Party may remain anonymous as to their true identity which is a serious drawback when a party may want to know or may want to be able to discover the actual identity of the other party to the communication;
- (20) Sundsted method's anonymity can lead to unfortunate consequences, where in my method the general rule is that Parties to the Method are generally authenticated but Parties may allow other parties to remain anonymous, a much more beneficial and informative feature;
- (21) Sundsted requires a payment for each email transmission by the sender (with the exception of lists) where my method offers flexible and different payment plans, subscriptions, and alternatively payments by third parties;
- (22) Sundsted's method is based on sending email between traditional email servers, where my method is more flexible and may make use of different communication transmission or reception paradigms, including the use of web-based mail gateways;
- (23) There are many other drawbacks of the Sundsted method as depicted in Pat No 5,999,967 and my invention offers many other and various advantages and differences from the Sundsted invention.

These are just a few of the many unique differences and advantages that are plainly visible in a review of the different inventions and filing papers.

If you have any questions please email me at johnmjensen@earthlink.net.

Thank you for your time.

Thank You,

John Jensen